

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MONTANA**

MISSOULA DIVISION

RYAN DEAN GABRIEL, ) Civil No. **CV-24-118-M-JTJ**

Plaintiff, )

VS.

DORINDA SUE GRAY, et al ) **MOTION FOR NEW TRIAL**

Defendants. )

RYAN DEAN GABRIEL deposes and says:

1. To the best of my knowledge, all facts alleged herein and exhibits supporting this instant affidavit are true and accurate.

2. I herein provide notice to this Court of an indefinite stay – ordered by the Oregon Court of Appeals on December 12, 2024 – of the foreign court judgment that Defendants DORINDA SUE GRAY, INSURED TITLES, LLC / DBA INSURED TITLES (“M/r/s. Gray”), TITLE INSURANCE CORPORATION/ DBA INSURED TITLES (“Insured Titles”), TAYLOR KAI GROENKE (“M/r/s. Groenke”) and FREDERICK J. “FRITZ” GROENKE /DBA MONTANA REAL ESTATE GROUP (“Mr. Groenke”) have relied upon to seek dismissal of the instant case. (Doc 7, Doc 15, Doc 26). (See **Exhibit 52 and Exhibit 55**, attached here.)

1           3.     This foreign court judgment that has been subject to an indefinite stay  
2 since July 2, 2024, and perfected on October 18, 2024 – now affirmed by the higher  
3 Oregon Court (of Appeals) – was also heavily relied upon to support the  
4 Defendants’ various motions granted in the Order dated December 31, 2024,  
5 entered against Plaintiff by the Montana Eleventh Judicial District Court,  
6 Honorable Robert B. Allison, Cause Number DV-15-2024-0001197: a) to Declare  
7 Plaintiff a Vexatious Litigant; b) to Dismiss; and c) for Prefiling Order and Fees.  
8 (Doc 31).  
9  
10

11  
12                               **PLAINTIFF’S BRIEF - INTRODUCTION**

13           4.     As a result of the Oregon Court of Appeals latest rulings, Defendant  
14 Mr. Groenke (through Montana Regional MLS, LLC) has withdrawn the unlawful  
15 listing of Mr. Gabriel’s permanent residence at 2000 Blacktail Rd. in Lakeside, MT,  
16 and Defendant M/r/s. Groenke has also withdrawn, in full retreat, as legal counsel  
17 for the Plaintiff in Flathead County District Court Cause No. DR-24-394 (Hon.  
18 Danni Coffman presiding). (See **Exhibit 61**, attached here.)  
19  
20

21           5.     Mr. Gabriel has filed prior notices into this instant case that the Court  
22 of Appeals of the State of Oregon has issued an order granting a temporary stay of  
23 the Amended General Judgment in Multnomah County Circuit Court No.  
24 22DR04942 (Court of Appeals No. A184337). The Defendants were relying upon  
25 this stayed judgment to justify their ongoing unlawful actions to interfere in Plaintiff  
26  
27  
28

1 Mr. Gabriel's affairs, contracts and permanent residence in the instant matter. (**Doc**  
 2 **1.)** (*See Exhibit 52 and Exhibit 55*, attached here.)  
 3

4 6. The appellate court has now issued two very clear '*Orders*', one signed  
 5 on November 26, 2024, by Chief Judge Hon. Erin C. Lagesen, and another on  
 6 Thursday, December 12, 2024. In this more recent '*Order*', the Oregon Court of  
 7 Appeals further clarified the scope of the Stay previously ordered on Mr. Gabriel's  
 8 behalf by Chief Judge Hon. Erin C. Lagesen:  
 9

10 "Under ORS 19.335(2), to the extent that the judgment requires  
 11 appellant to relinquish possession of the real property, his filing of the  
 12 supersedeas undertaking "acts to stay" that requirement. Thus, having  
 13 complied with the provisions of ORS 19.335(2), including depositing  
 14 the agreed security with the court, appellant is entitled to maintain  
 15 possession of the property at issue pending resolution of this appeal.  
 16 On review of the trial court's order under ORS 19.360, the court rules  
 17 that, to the extent that, under the judgment on appeal, appellant is  
 18 required to transfer or deliver possession of the real property at issue,  
 19 that portion of the judgment is stayed pending completion of the  
 20 appeal."

21 (*See Exhibit 55*, attached here.)  
 22

23 7. The previous appellate court '*Order*', signed on November 26, 2024,  
 24 by Chief Judge Hon. Erin C. Lagesen, reads:  
 25

26 "In view of *German Sav. Soc'y v. Kern*, 42 Or 532, 70 P 709  
 27 (1902), appellant's [Mr. Gabriel's] request for a temporary stay is  
 28 granted pending resolution of this motion. As a result of this temporary  
 stay, appellant is entitled to remain in possession of the property at issue  
 pending further ruling by this court. *See Kern*, 42 Or at 535-36 ("[I]f  
 the appellant is in possession at the time of the filing of the undertaking,

1 he is entitled to remain so until the matter is fully adjudicated in the  
2 appellate court.”).

3 Mr. Gabriel herein attaches a copy of the ‘Order’ in the Oregon appellate  
4 court. (See **Exhibit 52**, attached here).

5  
6 8. The indefinite Stay ordered by the Oregon Court of Appeals is in  
7 support of the prior-referenced supersedeas undertaking and cash posting of  
8 \$51,816 discussed at length in this instant (Flathead County) Court’s hearing, dated  
9 October 29, 2024, in a related case (Cause No. DR-24-394), Hon. Judge Danni  
10 Coffman presiding. On October 18, 2024, an agreed upon cash posting (\$51,816)  
11 and corresponding supersedeas undertaking was filed in the Oregon domestic  
12 relations trial court, effecting a Stay per the stipulated Order, which reads:  
13  
14

15 “The court heard arguments and accepted the parties’ agreement  
16 that the reasonable *value and use and occupation of their Montana*  
17 *home* came to \$4,318 monthly and that, because respondent [Mr.  
18 Gabriel] is a half owner, the posting that will effect a stay is 24 times  
19 half of that amount (i.e., a posting of \$51,816).” (Emphasis added.)

20 Per the November 26, 2024, and December 12, 2024, rulings by the Oregon  
21 Court of Appeals, combined with the signed stipulated Multnomah County trial  
22 court ‘*Order Re: Objection to Undertaking*’ dated August 14, 2024, this therefore  
23 entitles Plaintiff Mr. Gabriel to “use and occupation” of the property located at 2000  
24 Blacktail Rd. in Lakeside, MT 59922 for a period of 24 months, starting on October  
25 18, 2024. (See **Exhibit 45**, attached here). This 24-month period was agreed to by  
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28

1 all parties in the Oregon trial Court in anticipation of a 2-year process to conclude  
 2 the appellate process in the State of Oregon.

3  
 4 9. The foregoing Oregon Court of Appeals '*Orders*' would appear to  
 5 render this Court's recent findings and dismissal of this lawsuit under the '*Rooker-*  
 6 '*Feldman*' doctrine moot, as the state court action is still pending and Plaintiff is in  
 7 no way a "state court loser"<sup>1</sup> given the appellate court's reversal of the lower court  
 8 judgment wherever the forced sale of Mr. Gabriel's permanent Montana residence  
 9 – and his subject forced eviction – is concerned. The unlawful forced sale of  
 10 Plaintiff's permanent Montana residence and his subsequent eviction lies at the  
 11 heart of the matter of Mr. Gabriel's instant complaint for injunctive and declaratory  
 12 relief. Therefore, the issue is ripe for a reversed/remanded ruling by this Court,  
 13 and/or for this Court to order a new trial per Plaintiff's instant motion. (Doc 30.)

### 14 **LEGAL STANDING AND DIVERSITY JURISDICTION**

15  
 16 10. In Magistrate Judge John Johnston's '*Memorandum and Order*'  
 17 dated December 4, 2024, he argues:

18  
 19 "Gabriel's Complaint has failed to allege diversity jurisdiction.  
 20 Although Gabriel's Complaint alleges that he and Defendants Dorinda  
 21 Sue Gray, Frederick Groenke and Kai Groenke reside in Montana, he  
 22 has not alleged the citizenship of any party as required to invoke the  
 23 Court's diversity jurisdiction. (Doc. 1) Furthermore, if the parties who  
 24 allegedly reside in Montana are also citizens of Montana, there is not  
 25 complete diversity between the parties because Gabriel and several  
 26 defendants would be citizens of Montana. Thus, the Court lacks subject

27  
 28 <sup>1</sup> See '*Green-Jordan v. Taylor*', 2023 WL 4291849 (C.D. Cal. May 3, 2023) at \*2-3.

1 matter jurisdiction pursuant to 28 U.S.C. § 1332(a). Owen Equip. &  
2 Erection Co., 437 U.S. at 373-74.” (Doc 26.)

3 Per the foregoing, Magistrate Judge Johnson’s ‘*Order*’ states, “Gabriel’s  
4 Complaint has failed to allege diversity jurisdiction.” However, to the extent that  
5 Mr. Gabriel requires leave of the Court to amend the ‘*Complaint*’, Mr. Gabriel has  
6 already filed that motion into the instant case. (Doc 18 at 1-5.)  
7

8  
9 11. In Plaintiff’s ‘*Motion for Leave to Amend Complaint*’, dated and duly  
10 filed on October 20, 2024, Mr. Gabriel wrote:

11 “Plaintiff Mr. Gabriel seeks this amended complaint to conform  
12 to the statements made by Defendant DORINDA SUE GRAY,  
13 INSURED TITLES, LLC, AND FLYING S TITLE AND ESCROW  
14 OF MONTANTA, INC., (See ECF No. 13, ‘Defendants, Dorinda Sue  
15 Gray, Insured Titles, LLC, and Flying S Title and Escrow of Montana,  
16 Inc.’s Corporation’s Brief Supporting Motion to Dismiss’, page 2, §1,  
17 ¶1, filed October 4, 2024): “... the parent corporation of Insured Titles,  
18 LLC, is a Montana corporation called “Flying S Title and Escrow of  
19 Montana, Inc. (“FSTE”).” Plaintiff Mr. Gabriel agrees with this  
20 statement, and further notes the correct parent company of Insured  
21 Titles, LLC and Flying S Title and Escrow of Montana, Inc. is Title  
22 Financial Corporation located at 195 S Broadway in Blackfoot, ID.  
23 83221. Therefore, the Defendant ‘TITLE INSURANCE  
24 CORPORATION /DBA INSURED TITLES’ should be instead  
25 identified by its correct name: ‘TITLE FINANCIAL CORPORATION  
26 /DBA INSURED TITLES’.

27  
28 2. Plaintiff Mr. Gabriel therefore requests leave of this Court to  
amend the instant Complaint pursuant to Fed. R. Civ. P. 15 to make this  
slight modification to the identified Defendant, and in order to conform  
with Defendant’s instant brief in support of their October 4, 2024,  
motion.” (Doc 18.)

1           12. The Defendant doing business as “Insured Titles” is an Idaho  
2 corporation, as alleged by Plaintiff Mr. Gabriel in the foregoing *‘Motion for Leave*  
3 *to Amend Complaint’* (Doc 18.) as well as in *‘Plaintiff’s Response to Defendants’*  
4 *Motions to Dismiss / Plaintiff’s Answer to Defendant’s Response Brief Opposing*  
5 *Motion for Leave to Amend Complaint’*. (Doc 21.)  
6

7  
8           13. Therefore, this Court is either in error by arguing Plaintiff has “failed  
9 to allege diversity jurisdiction”, or it is in error by concluding the “amendment of  
10 Gabriel’s Complaint would be futile”, given that Plaintiff’s *‘Motion for Leave to*  
11 *File Amended Complaint’* literally spells out that Plaintiff wishes to cure this  
12 technical oversight in the original *‘Complaint’*. (Doc 18 at 1-5.)  
13

14                           **COLOR OF LAW AND STATE ACTION**  
15

16           14. In Magistrate Judge John Johnston’s *‘Memorandum and Order’* dated  
17 December 4, 2024, he argues:

18                       “Additionally, Gabriel’s Complaint fails to raise a federal  
19 question under 42 U.S. C. §1983. Under § 1983, a defendant may be  
20 liable for violating a plaintiff’s constitutional rights only if the  
21 defendant committed the alleged deprivation while acting under color  
22 of state law. *Rawson v. Recovery Innovations, Inc.*, 975 F.3d 742, 747  
23 (9th Cir. 2020) (citing *Jensen v. Lane County*, 222 F.3d 570, 574 (9th  
Cir. 2000)).

24                       The Ninth Circuit has identified four tests under which a private  
25 person may be deemed to be acting under color of state law: (1) public  
26 function; (2) joint action; (3) governmental compulsion or coercion;  
27 and (4) governmental nexus. *Sutton v. Providence St. Joseph Medical*  
28 *Center*, 192 F.3d 826, 835-36 (9th Cir. 1999). Under “governmental

1 coercion or compulsion,” the court considers “whether the coercive  
2 influence or ‘significant encouragement’ of the state effectively  
3 converts a private action into a government action.” Id. at 836.”

4 (Doc 26.)

5 15. Contrary to the findings of Magistrate Judge Johnson, Mr. Gabriel’s  
6 instant Complaint seeks a Federal injunction against unlawful actions initiated by  
7 the Defendants which meet *all four* tests identified by the Ninth Circuit in ‘*Sutton*  
8 *v. Providence*’<sup>2</sup> (emphasis added.). As Mr. Gabriel’s ‘*Complaint*’ (Doc 1.) alleges,  
9 on March 2022, Jesse Mark Olsen (“Mr. Olsen”) sued Mr. Gabriel for dissolution  
10 of “unregistered domestic partnership” in Oregon, a state in which Mr. Gabriel has  
11 never been domiciled, and Defendant M/r/s. “Kai” Groenke has stated she intends  
12 to leverage an amended Oregon judgment – now subject to a higher Court indefinite  
13 stay on appeal – in Montana to hold Mr. Gabriel in contempt of court, explicitly for  
14 the purpose of jailing Mr. Gabriel in order to force his signature on the title  
15 documents relinquishing his possession of his own home and permanent residence.<sup>3</sup>

16 16. The Oregon Court of Appeals is, to date, is the highest Court to rule  
17 on the central question of whether Mr. Gabriel’s actions to prevent his ouster from  
18 his own permanent residence are and were legally sound. Per Chief Judge Hon.  
19 Erin C. Lagesen, Defendant/Appellant Mr. Gabriel has acted fully within his rights

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25  
26 <sup>2</sup> Sutton v. Providence St. Joseph Medical Center, 192 F.3d 826, 835-36 (9th Cir. 1999)

27 <sup>3</sup> See ‘MOTION TO ENFORCE FOREIGN JUDGMENT AND PETITION FOR CONTEMPT,  
28 STATEMENT OF CHARGE, AND REQUEST FOR ATTORNEYS’ FEES’, Montana Eleventh Judicial  
District Court, Flathead County, Cause No. DR-2024-394 (E). (See **Exhibit 29**, attached.)



1 from the moment Mr. Gabriel first filed his '*Notice of Appeal*' and '*Supersedeas*  
 2 *Undertaking(s)*' in the underlying domestic dispute. That '*Notice of Appeal*' was  
 3 filed on May 10, 2024, and the '*Supersedeas Undertaking(s)*' were filed on July 1,  
 4 2024, and then perfected on October 18, 2024. (See **Exhibit 17, Exhibit 28,**  
 5 **Exhibit 45 and Exhibit 57**, attached here.)  
 6

7  
 8 17. Conversely, Defendants Mr. Groenke, M/r/s. Groenke, M/r/s.  
 9 DORINDA SUE GRAY ("M/r/s. Gray") and INSURED TITLES ("FSTE") have  
 10 been relying on the stayed lower court judgment, combined with their authorities  
 11 granted by the lower Montana courts, the Montana Bar Association, the Montana  
 12 Dept. of Labor's realtor and State of Montana's title licensing division, to  
 13 unlawfully harass, provoke and stalk Plaintiff Mr. Gabriel in his own home and  
 14 permanent residence. (See **Exhibit 1, Exhibit 26, and Exhibit 27**, attached).  
 15  
 16

17 18. And now per the highest Court to yet rule on the matter, the  
 18 defendants did not have the legal authority to perform the foregoing acts *in*  
 19 *retrospect*. (Emphasis added.) (See **Exhibit 17, Exhibit 28, Exhibit 45 and**  
 20 **Exhibit 57**, attached here.)  
 21

22 19. Underscoring the very real, immediate and life-threatening severity of  
 23 Mr. Groenke's ongoing misinterpretations of the foreign (Oregon) Court's orders  
 24 (whether through his counsel or acting on his own behalf): On Veterans' Day,  
 25 November 11, 2024, Mr. Groenke dispatched armed private security agents – *with*  
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1 *their guns drawn* – to raid Mr. Gabriel’s home and permanent residence at dawn,  
2 not knowing who if anyone might be inside, and without adequate confirmation to  
3 those who could potentially be impacted at cost to their lives. (Emphasis added.)  
4  
5 Mr. Gabriel herein furnishes this Court video evidence attached in the form of a  
6 compact disk and still-frame video captures, taken within Mr. Gabriel’s private  
7 living quarters on that date (*See Exhibit 49*, enclosed *and Exhibit 50*, attached).  
8

9         20. Defendant Frederick “Fritz” Groenke did not have legal authorization  
10 to list the property at the time of its listing on or before July 23, 2024, nor at the  
11 time of the subsequent temporary withdrawal and re-listing weeks later, and he was  
12 advised as much by Mr. Gabriel’s Oregon attorney (Andrew Newsom, Partner –  
13 Holtey Law Firm). Mr. Groenke listed it anyway, in active coordination with his  
14 alleged biological daughter, Taylor “Kai” Groenke. (*See Exhibit 3*, attached here).  
15  
16

17         21. In the days that followed, Mr. Gabriel also witnessed the electronic  
18 gate that Mr. Groenke forcibly broke by forcing his way through it, along with the  
19 unauthorized listing of Mr. Gabriel’s property, accompanied by the misleading and  
20 far-outdated photos from 2019 that Mr. Groenke illegally used in his listing – photos  
21 that still belong to Cecil Waati, another local realtor. Later, Mr. Gabriel learned via  
22 e-mail thread that Taylor “Kai” Groenke was directing and coordinating Mr.  
23 Groenke’s unlawful entry and trespass of Mr. Gabriel’s property. (*See Exhibit 9*,  
24 *Exhibit 11* and *Exhibit 12*, attached here).  
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1           22. According to M/r/s. Groenke, her client, JESSE MARK OLSEN (“Mr.  
2 Olsen”), had previously hired Defendant Mr. Groenke, the alleged biological father  
3 of Defendant Taylor “Kai” Groenke, to attempt to sell Mr. Gabriel’s permanent  
4 residence. At Mr. Groenke’s request, Montana Regional MLS, LLC, then listed the  
5 real property at 2000 Blacktail Road, Lakeside, MT 59922 for sale and the property  
6 is now under contract, as of August 9, 2023. This was done without Mr. Gabriel's  
7 consent, and with the lower court stay (Supersedeas Undertaking) still in place. (See  
8 **Exhibit 26 and Exhibit 3**, attached).  
9  
10

11           23. Compounding the unlawful listing of Mr. Gabriel’s property and  
12 permanent residence (2000 Blacktail Road, Lakeside, MT 59922) Frederick "Fritz"  
13 Groenke, unlawfully impersonated another realtor (Michelle Thomson),  
14 deliberately using her signature and then substituting her 'Reply' address  
15 ('michellethomson.bigfork@gmail.com') with his own ('mtreg@cyberport.net').  
16 Mr. Groenke then attempted to walk back the attempted fraudulent conveyance,  
17 actions described by Kaaren Winkler, MPA, RCE, CAE and Chief Executive  
18 Officer of the Montana Association of REALTORS as “serious”, “troubling” and  
19 “severe”. (Emphasis added.) (See **Exhibit 1 and Exhibit 19**, attached).  
20  
21  
22  
23

24           24. In other words, on August 8, 2024, at approximately 4pm MST,  
25 Defendant Fritz Groenke, in active coordination with Defendant Taylor “Kai”  
26 Groenke, impersonated another realtor, Michelle Thomson, in the process of  
27  
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1 committing numerous other crimes, including illegal trespass (under Montana Penal  
2 Code 45-6-203), vandalism, breaking and entering and harassment, among other  
3 acts. These actions also constitute rank violations of Article 1 & Article 3 of the  
4 National Association of Realtors (NAR) Code of Ethics: Unauthorized Access to  
5 Property, SOP 1-16 and 3-9. (See **Exhibit 1 and Exhibit 18**, attached).  
6  
7

8 25. Michael Ponton, CEO of the Montana Regional MLS, was made aware  
9 of the correspondence from Mr. Gabriel's Oregon attorney, Andrew Newsom,  
10 which stated that at the time of the listing in question an active Court stay  
11 (supersedeas undertaking) was in place on a judgment that Fritz Groenke purported  
12 to rely on to justify the illegal listing, at Defendant M/r/s. Groenke's prodding. That  
13 listing has never been taken down, though a court stay was in place. (See **Exhibit**  
14 **3**, attached).  
15  
16

17 26. The full forwarded e-mail exchange implicating Mr. Groenke in the  
18 foregoing is attached as Exhibit 1. (See **Exhibit 1**, attached).  
19

20 27. Compounding matters yet further: Previously, on Friday, July 19,  
21 2024, Defendant M/r/s. Groenke filed for a Temporary Petition for Protective Order  
22 with the Justice Court of the State of Montana (Flathead) before Hon. Paul Sullivan,  
23 Justice of the Peace. In this Protective Order, Taylor "Kai" Groenke sought a ruling  
24 that would require Mr. Gabriel "**shall stay at least 2,500 feet from ... 2000**  
25 **Blacktail Road, Lakeside, MT 59922**" – which happens to be Mr. Gabriel's  
26  
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1 permanent residence and home, and which he owns, has title to, and lives in. (*See*  
2 **Exhibit 15 and Exhibit 4, page 2**, attached).

3  
4 28. For further context, M/r/s. “Kai” Groenke’s husband is David C.  
5 Dowell, who happened to work for the Flathead County Probation and Parole office,  
6 which in turn works closely with Hon. Paul Sullivan’s Justice Court. In other  
7 words, M/r/s. Groenke is trying to use her husband’s connections adjacent to Hon.  
8 Paul Sullivan, Justice of the Peace, and the Flathead County Justice Court, to evict  
9 Defendant/Appellant Mr. Gabriel from his own home ostensibly so that her father,  
10 Frederick “Fritz” Groenke (a realtor) can sell it out from underneath Mr. Gabriel  
11 for some undisclosed commission. M/r/s. Groenke’s exact words, from her recent  
12 filing in Flathead County Case No. DR-2024-394 (E): **“Ryan should be**  
13 **incarcerated until such time as the sale of the property closes. Furthermore,**  
14 **incarceration will ensure Ryan remains available in Flathead County to sign**  
15 **any documents necessary to close the sale of the property. Finally, Ryan will**  
16 **be more easily served with process and documents as a resident of the Flathead**  
17 **County Jail until the transaction can be completely closed.”** (Emphasis added.)  
18 (See Montana Eleventh Judicial District Court, Flathead County, Cause No. DR-  
19 2024-394 (E), *‘Motion to Enforce Foreign Judgment Petition for Contempt’*, page  
20 11 and **Exhibit 29**, attached).

1           29. In addition, Defendant M/r/s. Gray, acting on behalf of Idaho-based  
2 Defendant Insured Title, has been actively coordinating with Defendants Mr. and  
3 M/r/s. Groenke on how Plaintiff Mr. Gabriel might be forcibly and unlawfully  
4 removed from title and possession of his own permanent residence located at 2000  
5 Blacktail Rd. in Lakeside, MT 59922. (See **Exhibit 27** and **Exhibit 29**, attached).  
6

7  
8           30. Finally, the Defendants were able to secure an ‘Order’ from retiring  
9 Judge Robert Allison (a state actor) for attorney’s fees and dismissing Mr. Gabriel’s  
10 lawsuit for tortious interference, effectively encouraging the Defendants to proceed  
11 with their unlawful actions. (Doc 31, Doc 32.)  
12

13           31. Hence, Plaintiff Mr. Gabriel filed the instant Complaint seeking a  
14 Federal Court to intervene via injunctive and/or declaratory relief – not from the  
15 state court judgment, but rather from Defendants’ unlawful misinterpretation of that  
16 judgment as retroactively affirmed by the Oregon Court of Appeals. (Doc 1.) (See  
17 **Exhibit 52** and **Exhibit 55**.)  
18

19  
20                           **THE ROOKER-FELDMAN DOCTRINE**

21           32. In Magistrate Judge John Johnston’s ‘*Memorandum and Order*’  
22 dated December 4, 2024, he argues:  
23

24                   “The Green-Jordan court then determined that the plaintiffs’  
25 claims related to the request to overturn the state court’s partition order  
26 must be dismissed without leave to amend as barred by the Rooker-  
27 Feldman doctrine. The same reasoning is determinative of Gabriel’s  
28 claims here. By seeking to enjoin the Defendants from acting in

accordance with the Amended General Judgment, Gabriel is requesting Case 9:24-cv-00118-JTJ Document 26 Filed 12/04/24 Page 7 of 9 8 this Court provide him relief from the Amended General Judgment by determining that the Amended General Judgment is unconstitutional and, therefore, unenforceable. The Rooker-Feldman doctrine precludes the Court from exercising jurisdiction for such a de facto appeal of the Amended General Judgment.”

(Doc 26.)

33. However, as established in the foregoing paragraphs, the Court of Appeals of the State of Oregon has confirmed that Plaintiff Mr. Gabriel’s interpretation of the law is correct, and that the Defendants’ interpretation is incorrect. (*See Exhibit 52 and Exhibit 55.*)

34. From there, the Defendants’ arguments collapse in near totality, as does Magistrate Judge Johntson’s invocation of the *‘Rooker-Feldman’* doctrine. The Oregon Court (of Appeals) has ruled and has agreed with Mr. Gabriel’s interpretation of which party is on the wrong side of the law, as it pertains to the instant matter – which itself is underwritten by the underlying Oregon domestic relations and partition claims (Cause Nos. A184337 and A184374, Or. Court of Appeals)<sup>4</sup>. Taken together, this means that Plaintiff Mr. Gabriel is substantially prevailing in both Oregon appellate matters (A184337 and A184374) as well as in

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<sup>4</sup> See *‘Gabriel v. Olsen’*, Oregon Circuit Court, Multnomah County, Cause No. 22CV10399, now pending appeal (Oregon Court of Appeals) as Cause No. A184374. See also *‘Gabriel v. Olsen’*, Flathead County District Court, Mont., Cause No. DV-22-605; *Olsen v. Gabriel’*, Multnomah County District Court, Ore., Cause No. 22DR04942, now pending appeal (Oregon Court of Appeals) as Cause No. A184337.

1 Flathead County District Court Cause No. DR-24-394<sup>5</sup>, in which Mr. Gabriel is the  
 2 defendant. (See **Exhibit 61**, attached here).

3  
 4 35. Therefore, Plaintiff is in no way a “state-court loser” challenging a  
 5 state-court judgment; the Oregon Court of Appeals has substantially reversed the  
 6 lower-court judgment in Mr. Gabriel’s favor retroactively and in totality, turning  
 7 Plaintiff Mr. Gabriel into the state-court “victor” as it pertains to the present Federal  
 8 injunctive relief matter from July 1, 2024, to the current date. (See **Exhibit 45**,  
 9 **Exhibit 52 and Exhibit 55**.)

#### 12 **ORDER RE: VEXATIOUS LITIGANT**

13 36. On January 3, 2025, Defendant Kai Groenke provided “Notice to the  
 14 Court of the Order dated December 31, 2024, entered against Plaintiff by the  
 15 Montana Eleventh Judicial District Court, Hon. Robert B. Allison, Cause Number  
 16 DV-15-2024-0001197-TO. The Order declares Plaintiff a vexatious litigant,  
 17 orders that Plaintiff’s future filings in that Court are subject to prefiling review,  
 18 requires Plaintiff to attach a copy of the Order to any future lawsuit or complaint  
 19 he files, allows for a notice of the Order to be provided in any pending matter, and  
 20 awards Defendant Kai Groenke her attorney’s fees.” (Doc 31.)

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26  
 27 <sup>5</sup> *‘Olsen v. Gabriel’*; Flathead County District Court, Cause No. DR-24-394.



1           37. This was preceded by Defendant M/r/s. Groenke's own '*Proposed*  
2           *Opinion and Order*' which she filed as a postmortem pseudo-brief in the lower  
3           district court matter<sup>6</sup>, and perhaps as an attempt to compensate for the recent  
4           rulings of the Oregon Court of Appeals, which – taken together – would seem to  
5           transform M/r/s. Groenke into the sole vexatious litigant both retroactively and in  
6           totality. (See **Exhibit 52** and **Exhibit 55**, attached here.)  
7

8  
9           38. Plaintiff Mr. Gabriel herein brings to this Court's attention the sheer  
10          scale of the unlawful overreach committed by the various Defendants, as partially  
11          described in previous pleadings in the instant matter, and for the purpose of  
12          establishing with total clarity why Plaintiff seeks injunctive and declaratory relief  
13          from this Federal Court. Defendants have sought:  
14

15           a)     **to forcibly conscript** Mr. Gabriel into a *de facto* common law  
16          marriage with Defendant M/r/s. Groenke's now-abandoned client, Mr. Olsen, in  
17          the state of Montana – where her former client has never been domiciled – and by  
18          leveraging an indefinitely stayed lower court judgment in Oregon, which is not a  
19          common law marriage state, and where Mr. Gabriel has never been domiciled<sup>7</sup>.  
20

21           b)     **to incarcerate Mr. Gabriel in Flathead County Jail** for the explicit  
22          purpose of forcing him to relinquish possession and title to his own permanent  
23          purpose of forcing him to relinquish possession and title to his own permanent  
24

25  
26           <sup>6</sup> See Montana Eleventh Judicial District Court, Cause Number DV-15-2024-0001197.

27           <sup>7</sup> See '*Olsen v. Gabriel*'; Flathead County District Court, Cause No. DR-24-394 (Hon. Danni Coffman  
28          presiding)

1 residence located at 2000 Blacktail Rd. in Lakeside, MT – now declared an  
 2 unlawful act per the Oregon Court of Appeals (*See Exhibit 29, Exhibit 52 and*  
 3 **Exhibit 55**, attached here.);

4  
 5 c) **to enlist a district Court to declare Mr. Gabriel a ‘vexatious**  
 6 **litigant’** for Plaintiff’s attempt to secure due process and privacy protections  
 7 arising under the 14<sup>th</sup> Amendment to the US Constitution using the Federal courts,  
 8 in which Mr. Gabriel has sought only declaratory relief and no specified money  
 9 damages (Doc 1, Doc 31, Doc 32.)

10  
 11 d) **to forcibly evict Mr. Gabriel from his home and permanent residence**<sup>8</sup>  
 12 – now declared an unlawful act, per Chief Judge Lageson of the Oregon Court of  
 13 Appeals (*See Exhibit 29, Exhibit 52 and Exhibit 55*, attached here.);

14  
 15 e) **to charge Mr. Gabriel for the balance of legal fees** incurred in the  
 16 process of attempting to forcibly and unlawfully evict Mr. Gabriel from his home  
 17 and permanent residence – now declared unlawful by the Oregon Court of Appeals  
 18 (Doc 31) (*See Exhibit 29, Exhibit 52 and Exhibit 55*, attached here.);

19  
 20 39. In the process of seeking an order declaring Plaintiff a vexatious  
 21 litigant, Defendant Taylor “Kai” Groenke’s legal arguments are technically  
 22 proficient but substantively preposterous. For example, in M/r/s. Groenke’s  
 23  
 24  
 25

26  
 27 <sup>8</sup> See ‘*Olsen v. Gabriel*’; Flathead County District Court, Cause No. DR-24-394 (Hon. Danni Coffman  
 28 presiding)

pleadings, much is made of the precedent established in *Safir v. United States Lines, Inc.*, 792 F.2d 19, 23-24 (2d Cir. 1986):

“That the district court possessed the authority to enjoin Safir from further vexatious litigation is beyond peradventure. 28 U.S.C. § 1651(a); *Abdullah v. Gatto*, 773 F.2d 487, 488 (2d Cir. 1985) (per curiam); *In re Martin-Trigona*, 737 F.2d 1254, 1262 (2d Cir. 1984); *In re Hartford Textile Corp.*, 681 F.2d 895, 897 (2d Cir. 1982) (per curiam), *cert. denied*, 459 U.S. 1206, 103 S.Ct. 1195, 75 L.Ed.2d 439 (1983); *Ward v. Pennsylvania New York Central Transportation Co.*, 456 F.2d 1046, 1048 (2d Cir. 1972). “A district court not only may but should protect its ability to carry out its constitutional functions against the threat of onerous, multiplicitous, and baseless litigation.” *Abdullah*, 773 F.2d at 488 (citing *Martin-Trigona*, 737 F.2d at 1262):

“As our prior cases have indicated, the district court, in determining whether or not to restrict a litigant's future access to the courts, should consider the following factors:

(1) the litigant's history of litigation and in particular whether it entailed vexatious, harassing or duplicative lawsuits;

(2) the litigant's motive in pursuing the litigation, (e.g., does the litigant have an objective good faith expectation of prevailing?);

(3) whether the litigant is represented by counsel;

(4) whether the litigant has caused needless expense to other parties or has posed an unnecessary burden on the courts and their personnel; and

(5) whether other sanctions would be adequate to protect the courts and other parties. Ultimately, the question the court must answer is whether a litigant who has a history of vexatious litigation is likely to continue to abuse the judicial process and harass other parties.”

1) **On the first factor:** Mr. Gabriel has no history of litigation in Oregon, Montana, or in Federal Courts prior to his defensive maneuvers in the underlying domestic relations dispute in Oregon. Moreover, the duplicative nature

1 of the various pleadings in the intersecting lawsuits – which stem from the  
 2 underlying Oregon domestic relations dispute now under appeal – cuts both ways  
 3 (for and against all parties). Contrary to the sensational and obfuscatory claims of  
 4 Defendant M/r/s. Groenke, there are but three core lawsuits that Plaintiff Mr.  
 5 Gabriel has filed that have involved any substantial expense in the form of  
 6 attorneys’ fees:  
 7

8  
 9 a) *For partition and sale of two properties* – one in Oregon and one in  
 10 Montana – that Mr. Gabriel and Mr. Olsen jointly own. From the outset, Mr.  
 11 Gabriel has maintained his position that because the properties can be easily  
 12 partitioned, the parties should take this milder approach vs. the “whole-of-life”  
 13 litigation approach preferred by Defendant M/r/s. Groenke, a family law specialist,  
 14 and her client Mr. Olsen – particularly since the parties aren’t married, Oregon is  
 15 not a common law marriage state, and Mr. Olsen has never been domiciled in  
 16 Montana.  
 17  
 18  
 19

20 **Cases:**

1. ‘Gabriel v. Olsen’, Oregon Circuit Court, Multnomah County, Cause No. 22CV10399, now pending appeal (Oregon Court of Appeals) as Cause No. A184374.
2. ‘Gabriel v. Olsen’, Flathead County District Court, Mont., Cause No. DV-22-605.

23 b) *For injunctive relief under the due process and privacy clauses* of  
 24 the Fourteenth Amendment to the US Constitution, which confer all US citizen  
 25  
 26  
 27  
 28

adults the “right not to marry” when paired with the SCOTUS ‘*Obergefell*’<sup>9</sup> ruling, which itself substantively gives US citizen adults the inverse “right to marry”. Mr. Gabriel has not sought monetary damages in any of these claims, which are each corrective iterations of the first attempt for injunctive relief, and the main purpose is to derail Mr. Olsen’s draconian domestic relations approach in favor of a straightforward, far simpler, and less costly partition of property approach.

**Cases:**

1. ‘*Gabriel v. Olsen*’, US District Court, Montana; Cause No. CV-23-142-M-DLC-KLD.
2. ‘*Gabriel v. Kotek, et. al*’, US District Court, Or., Cause No. 3:24-cv-754-JR.
3. ‘*Gabriel v. Gray, et. al*’, US District Court, Mont.; Cause No. 9-24-CV-118-JTJ.

c) *For unlawful tortious interference with a contract* and unlawful listing of his permanent Montana residence, which was misrepresented to prospective buyers per the Montana Consumer Protection Act (Doc 1), the instant matter for which Mr. Gabriel has support from the Oregon Court of Appeals (Doc 52). As thoroughly documented in Mr. Gabriel’s pleadings in the instant matter, Chief Judge Hon. Lageson and the higher Court of Appeals both concur with Mr. Gabriel’s unflinching position that the Defendants were not entitled to seek his premature ouster from his own residence (See **Exhibit 52** and **Exhibit 55**, attached here.)

**Cases:**

1. ‘*Gabriel v. Nelson*’, Flathead County District Court, Cause No. DV-23-786.
2. ‘*Gabriel v. Groenke, et. al*’, Flathead County Dist. Ct, Mont., Cause No. DV-22-1197.

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<sup>9</sup> ‘*Obergefell v. Hodges*’, 576 U.S., 135 S.Ct. 2584, 192 L.Ed.2d 609 (2015).

Conversely, Plaintiff Mr. Gabriel has been targeted by Defendant M/r/s. Groenke, her client Mr. Olsen, and Defendant Frederick “Fritz” Groenke in seven (7) separate lawsuits brought under largely separate pretenses:

a) ***For dissolution of “unregistered domestic partnership”*** in Oregon (Mr. Olsen) – now pending appeal, with the most recent rulings favoring Mr. Gabriel.

**Cases:**

1. ‘Olsen v. Gabriel’, Multnomah County District Court, Ore., Cause No. 22DR04942, now pending appeal (Oregon Court of Appeals) as Cause No. A184337.
2. ‘Olsen v. Gabriel’; Flathead County District Court, Cause No. DR-24-394.

b) ***For an Order of Protection in Oregon (Mr. Olsen)*** – for which Mr. Gabriel prevailed in totality and Mr. Olsen’s sought-after protective order was flatly denied and dismissed by Hon. Judge Francis H. Troy on March 13, 2024. (See **Exhibit 10** and **Exhibit 13**, attached here.)

**Case:**

3. ‘Olsen v. Gabriel’, Multnomah County District Court, Ore., Cause No. 24PO00918.

c) ***For an Order of Protection in Montana*** (Defendant M/r/s. Groenke) – for which Mr. Gabriel is now appealing with the Montana Supreme Court.

**Cases:**

4. ‘Groenke v. Gabriel’, Justice Court, Flathead County, Mont.; Cause No. CV-24-1010.
5. ‘Groenke v. Gabriel’, Flathead County District Court, Cause No. DR-24-510 (B).
6. ‘Groenke v. Gabriel’, Montana Supreme Court, Cause No. DA-24-0646.

d) ***For an Order of Protection in Montana*** (Defendant Mr. Groenke) – for which Mr. Gabriel is now appealing with the Montana Supreme Court.

**Cases:**

7. '*Groenke v. Gabriel*', Justice Court, Flathead County, Mont.; Cause No. CV-24-1140.
8. '*Groenke v. Gabriel*', Flathead County District Court, Cause No. DR-24-527 (A).
9. '*Groenke v. Gabriel*', Montana Supreme Court, Cause No. DA-24-0665.

e) ***For enforcement of a Foreign Court Judgment*** in Montana (Mr. Olsen), using counsel in the form of Defendant M/r/s. Groenke, for which M/r/s. Groenke has effectively now lost retroactively due to the recent rulings of the Oregon Court of Appeals, and for which her client Mr. Olsen has requested her withdrawal.

**Case:**

10. '*Olsen v. Gabriel*'; Flathead County District Court, Cause No. DR-24-394.

f) ***A Counterclaim in the instant case*** seeking, among other things, attorney's fees incurred by M/r/s. Groenke for causes that she appears to be losing in near-totality given the recent rulings of the Oregon Court of Appeals, and to declare Mr. Gabriel a vexatious litigant – despite Plaintiff Mr. Gabriel's regular ability to win favorable rulings even while representing himself *pro se*.

**Case:**

11. '*Gabriel v. Groenke, et. al*'; Flathead County District Court, Cause No. DR-24-1197.

g) ***A criminal charge for intimidation*** in which M/r/s. Groenke has leveraged her foregoing Order of Protection in Montana into a “stalking and intimidation” criminal case, for which Mr. Gabriel is represented by counsel (Mr.

1 Nick Aemisegger), and for which Mr. Aemisegger believes the charges will be  
2 dropped on a Motion to Dismiss, given the Oregon Court of Appeals recent rulings  
3 favorable to Mr. Gabriel – which seem to invert the “aggressor-victim”  
4 relationship, turning M/r/s. Groenke into the aggressor and stalker, and turning Mr.  
5 Gabriel into her stalking and intimidation victim.  
6

7  
8 **Case:** 12. ‘*Montana v. Gabriel*’; Flathead County District Court, Cause No. DC-24-259 (C).  
9

10 The above factual pattern of lawsuits either filed by Plaintiff Mr. Gabriel or  
11 targeting Mr. Gabriel therefore seems to implicate M/r/s. Groenke – not Plaintiff  
12 Mr. Gabriel – in the first of the five factors for determining whether a litigant is  
13 vexatious per the standards established in *Safir v. United States Lines, Inc.*  
14

15 2) **On the second factor:** Mr. Gabriel’s oft-repeated, stated motivation  
16 is to be left alone in peace in his permanent Montana residence until the Oregon  
17 appellate process can be concluded, or alternately until a Federal court agrees that  
18 the SCOTUS ‘*Obergefell*’ decision – which granted all consenting US adults a  
19 “right to marry” – also confers those same consenting adults a rather modest and  
20 entirely reasonable “right not to marry”. Mr. Gabriel has a reasonable expectation  
21 of prevailing, the Oregon Court of Appeals has confirmed as much, and Justice  
22  
23  
24  
25  
26  
27  
28



1 Kennedy's majority SCOTUS opinion in '*Obergefell*' (2015) would appear by  
 2 almost any measure to concur<sup>10</sup>.  
 3

4 3) **On the third factor:** Mr. Gabriel has been represented by counsel  
 5 whenever appropriate and as needed. Moreover, Mr. Gabriel's legal conclusions  
 6 derived as a *pro se* litigant have been largely supported by legal counsel – *post*  
 7 *portem* and retroactively – and thoroughly redeemed – *post mortem* and  
 8 retroactively – by a higher court Chief Judge. (See **Exhibit 52** and **Exhibit 55**,  
 9 attached here.)  
 10  
 11

12 4) **On the fourth factor:** Given the first three factors, it is therefore  
 13 Defendant M/r/s. Groenke who is revealed to be the vexatious litigant, engaged in  
 14 rank malpractice, and creating unnecessary burdens on this Court and Plaintiff Mr.  
 15 Gabriel;  
 16

17 5) **On the fifth factor:** Mr. Gabriel has no history of litigation in  
 18 Oregon, Montana, or in Federal Courts prior to his purely defensive maneuvers in  
 19 the underlying domestic relations dispute in Oregon. Conversely, this Court should  
 20 consider referring M/r/s. Groenke for sanctions and/or disbarment to the Montana  
 21 State Bar association, given the uncanny resemblance between M/r/s. Groenke's  
 22 antics and those of now-disgraced, power-starved officers of the court such as  
 23  
 24  
 25  
 26

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27 <sup>10</sup> '*Obergefell v. Hodges*', 576 U.S., 135 S.Ct. 2584, 192 L.Ed.2d 609 (2015).  
 28

1 North Carolina prosecutor Mike Nifong<sup>11</sup>, Fulton County District Attorney Fanni  
 2 Willis<sup>12</sup> or private attorney Michael Avenatti<sup>13</sup>.  
 3

#### 4 SUMMARY

5  
 6 40. The Court of Appeals of the State of Oregon has confirmed that  
 7 Plaintiff Mr. Gabriel's interpretation of the law is correct, and that the Defendants'  
 8 interpretation is incorrect. (See **Exhibit 52** and **Exhibit 55**, attached here.)  
 9

10 41. From there, the Defendants' arguments collapse in near totality, as  
 11 does Magistrate Judge Johntson's invocation of the '*Rooker-Feldman*' doctrine.  
 12 The Oregon Court (of Appeals) has ruled and has agreed with Mr. Gabriel's  
 13 interpretation of which party is on the wrong side of the law, as it pertains to the  
 14 instant matter – which itself is underwritten by the underlying Oregon domestic  
 15 relations and partition claims (Cause Nos. A184337 and A184374, Or. Court of  
 16 Appeals)<sup>14</sup>. Taken together, this means that Plaintiff Mr. Gabriel is substantially  
 17 prevailing in both Oregon appellate matters (A184337 and A184374) as well as in  
 18  
 19  
 20  
 21  
 22

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23 <sup>11</sup> See '*Findings of Fact, Conclusions of Law and Order of Discipline*' at 1, 24, '*N.C. State Bar v. Nifong*',  
 No. 06 DHC 35 (Disciplinary Hearing Comm'n of the N.C. State Bar July 10, 2007)

24 <sup>12</sup> See 'Cause No. A24A1595, '*ROMAN et. al v. THE STATE*' (Ga. Ct. App. Dec. 19, 2024).

25 <sup>13</sup> See '*Daniels v. Trump*', US District Court, Southern District of New York; Cause No. 2:18-cv-06893-  
 JLS-FFM.

26 <sup>14</sup> See '*Gabriel v. Olsen*', Oregon Circuit Court, Multnomah County, Cause No. 22CV10399, now pending  
 appeal (Oregon Court of Appeals) as Cause No. A184374. See also '*Gabriel v. Olsen*', Flathead County  
 District Court, Mont., Cause No. DV-22-605; '*Olsen v. Gabriel*', Multnomah County District Court, Ore.,  
 Cause No. 22DR04942, now pending appeal (Oregon Court of Appeals) as Cause No. A184337.  
 27  
 28

1 Flathead County District Court Cause No. DR-24-394<sup>15</sup>, in which Mr. Gabriel is  
2 the defendant. (See **Exhibit 61**, attached here).

3  
4 42. Therefore, Plaintiff is in no way a “state-court loser” challenging a  
5 state-court judgment; the Oregon Court of Appeals has substantially reversed the  
6 lower-court judgment in Mr. Gabriel’s favor retroactively and in totality, turning  
7 Plaintiff Mr. Gabriel into the state-court “victor” as it pertains to the present Federal  
8 injunctive relief matter from July 1, 2024, to the present date. (See **Exhibit 17**,  
9 **Exhibit 28**, **Exhibit 45**, **Exhibit 52** and **Exhibit 55**, attached here.)  
10

11  
12 43. The Supreme Court has held that to have Article III standing under the  
13 Constitution, a party must show it has suffered an “injury in fact,” that there is a  
14 “causal connection between the injury” and the defendant’s complained-of conduct,  
15 and that it is likely “that the injury will be redressed by a favorable decision.” *Lujan*  
16 *v. Defenders of Wildlife*, 504 U.S. 555, 561 (1992), 504 U.S. at 560-61.  
17 Importantly, the requirements for Article III standing “are not mere pleading  
18 requirements but rather an indispensable part of the plaintiff’s case, [so] each  
19 element must be supported in the same way as any other matter on which the  
20 plaintiff bears the burden of proof, i.e., with the manner and degree of evidence  
21 required at the successive stages of the litigation.” *Lujan*, 504 U.S. at 561  
22  
23  
24  
25  
26

---

27 <sup>15</sup> *Olsen v. Gabriel*; Flathead County District Court, Cause No. DR-24-394.  
28

(citations omitted). Indeed, to demonstrate an “injury in fact,” a plaintiff must establish an invasion of a legally protected interest which is: (a) concrete and particularized . . . and (b) actual or imminent, and not merely “conjectural” or “hypothetical.” *Id.* at 560 (citations omitted).

44. Thus, as articulated in the foregoing ‘*Affidavit and Brief*’, Plaintiff Mr. Gabriel has indeed alleged an injury in fact that has been caused by the Defendants, and this is supported by Mr. Gabriel’s original ‘*Complaint*’ and subsequent pleadings into the matter. (Doc 1 – Doc 30.)

### **CONCLUSION**

WHEREFOR Plaintiff RYAN DEAN GABRIEL (“Mr. Gabriel”) herein respectfully objects to Magistrate Judge John Johnson’s ‘*Memorandum and Order*’ dated December 4, 2024 pursuant to Fed. R. Civ. P. 46 (“Rule 46”) and Fed. R. Civ. P. 59 (“Rule 59”) (B), in order to preserve the issues described herein for review.

WHEREIN Plaintiff’s objection to the Magistrate Judge’s ‘*Memorandum and Order*’ and filing thereof is timely. Consequently, Plaintiff is entitled to *de novo* review of those findings and recommendations to which he has specifically objected. (*See* 28 U.S.C. § 636 (b)(1)(C); ‘*United States v. Reyna-Tapia*’, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003). Consequently, this Court should review the Magistrate’s findings and recommendations for error. (*See* ‘*McDonnell Douglas Corp. v. Commodore Bus. Machs., Inc.*’, 656 F.2d 1309, 1313 (9<sup>th</sup> Cir. 1981). Clear error

exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F. 3d 422, 427 (9<sup>th</sup> Cir. 2000).

DATED this 5th Day of January, 2025.



\_\_\_\_\_  
Plaintiff, Pro Se (signature)

Ryan D. Gabriel  
2000 Blacktail Rd. #1140  
Lakeside, MT 59922  
Phone #: (403) 606-5859 m.

\*\*\*

### **CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing and Exhibits were served upon the opposing parties on this 5<sup>th</sup> Day of January, 2025, by the method an at the address as indicated below:

Kevin S. Jones  
Joseph D. Houston  
Remy J. Orrantia  
Jones & Houston, PLLC  
2625 Dearborn Ave., Suite 102  
Missoula, MT 59804  
(406) 541-3333  
kevin@jonesmtlaw.com  
remy@jonesmtlaw.com  
Attorneys for Montana Regional MLS, LLC

\*\*\*

1  
2 Robert C. Lukes  
3 Alan F. McCormick  
4 GARLINGTON, LOHN & ROBINSON, PLLP  
5 350 Ryman Street • P. O. Box 7909  
6 Missoula, MT 59807-7909  
7 Phone (406) 523-2500  
8 Fax (406) 523-2595  
9 rclukes@garlington.com  
10 afmccormick@garlington.com  
11 Attorneys for Frederick J. "Fritz" Groenke

12 \*\*\*

13 Susan G. Ridgeway  
14 HALL & EVANS, LLC  
15 Millennium Building  
16 125 Bank Street, Suite 403  
17 Missoula, Montana 59802  
18 Telephone: (406) 541-8882  
19 Fax No: (406) 519-2035  
20 ridgeways@hallevans.com  
21 Attorneys for Defendant Taylor Kai Gronke

22 \_\_\_\_\_X\_\_\_\_\_ by e-mailing full, true, and correct copies thereof to the attorney(s)  
23 at the physical e-mailing addresses shown above.

24 DATED this 5th day of January, 2025.

25 

26 \_\_\_\_\_  
27 Ryan D. Gabriel  
28 Respondent/Plaintiff, *pro se*

2000 Blacktail Road, Box #1140

Lakeside, MT 59922  
Tel. # (403) 606-5859 m.

\*\*\*

**CERTIFICATE OF COMPLIANCE**

I hereby certify that the foregoing brief is proportionally spaced typeface of 14 points and does not exceed 10,000 words. It is 6375 words, to be exact.

DATED this 5th Day of January, 2024.



---

Ryan D. Gabriel  
Defendant/Appellant, *pro se*

2000 Blacktail Road, Box #1140  
Lakeside, MT 59922  
Tel. # (403) 606-5859 m.  
[rgabriel@zurccapital.com](mailto:rgabriel@zurccapital.com)

\*\*\*